

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

VISTO CORPORATION

§

v.

No. 2:03-CV-333-TJW

SEVEN NETWORKS, INC.

§

VERDICT FORM

QUESTION NO. 1:

Do you find by a preponderance of the evidence that the defendant infringes, contributes to the infringement of, or induces the infringement of, the following claims of the patents with respect to the sale of its software products?

Answer "Yes" or "No" for each asserted claim and each software product separately.

'708 patent:

Claim 5

Personal Edition: Yes

Server Edition: Yes

Enterprise Edition: Yes

Claim 24

Personal Edition: Yes

Server Edition: Yes

Enterprise Edition: Yes

‘192 patent:

Claim 11

Personal Edition: Yes

Server Edition: Yes

Enterprise Edition: Yes

Claim 22

Personal Edition: Yes

Server Edition: Yes

Enterprise Edition: Yes

‘221 patent:

Claim 8

Personal Edition: Yes

Server Edition: Yes

Enterprise Edition: Yes

If you have answered "Yes" to any part of Question No. 1, then answer Question No. 2.

Otherwise, do not answer Question No. 2, but proceed to Question No. 3.

QUESTION NO. 2:

Do you find by clear and convincing evidence that such conduct, as you have found in answer to Question No. 1, was willful?

Answer "Yes" or "No."

Answer: Yes

Proceed to Question No. 3.

QUESTION NO. 3:

Do you find by clear and convincing evidence that any of the following claims of the patents are invalid?

Answer "Yes" or "No" for each asserted claim separately.

'708 patent:

Claim 5: NO

Claim 24: NO

'192 patent:

Claim 11: NO

Claim 22: NO

'221 patent:

Claim 8: NO

If you have answered "Yes" to any part of Question No. 1, then answer Question No. 4. Otherwise, do not answer Question No. 4. The jury foreperson should sign and date the Verdict Form and return it to the Security Officer.

QUESTION NO. 4:

What sum of money, if any, if paid now in cash, would fairly and adequately compensate the plaintiff in the form of a reasonable royalty for infringement, if any, that you have found in answer to Question No. 1?

Answer in dollars and cents, if any.

Answer: \$3,683,000.00

SIGNED this 28 day of April, 2006.

JURY FOREPERSON